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Summary prepared by the Office of the United Nations High Commissioner for Human Rights in accordance with paragraph 15 (c) of the annex to Human Rights Council resolution 5/1 and paragraph 5 of the annex to Council resolution 16/21

Papua New Guinea*

The present report is a summary of 15 stakeholders' submissions[1] to the universal periodic review. It follows the general guidelines adopted by the Human Rights Council in its decision 17/119. It does not contain any opinions, views or suggestions on the part of the Office of the United Nations High Commissioner for Human Rights (OHCHR), nor any judgement or determination in relation to specific claims. The information included herein has been systematically referenced in endnotes and, to the extent possible, the original texts have not been altered. As provided for in Human Rights Council resolution 16/21, where appropriate, a separate section is provided for contributions by the national human rights institution of the State under review that is accredited in full compliance with the Paris Principles. The full texts of all submissions received are available on the OHCHR website. The report has been prepared taking into consideration the periodicity of the review and developments during that period.

* The present document was not edited before being sent to United Nations translation services.

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I. Information provided by stakeholders

A. Background and framework

1. Scope of international obligations[2]

1. Oceania Human Rights (OHR) applauded PNG's role as a leader of ratification in the Pacific region. OHR recommended ratification of the remaining core international HR instruments.[3]

2. Cultural Survival (CS) recommended that PNG ratify ILO's Convention 169.[4]

3. Unrepresented Nations and Peoples Organization (UNPO) recommended that PNG remove its reservations to the 1951 Refugee Convention.[5]

2. Constitutional and legislative framework

4. HRW recalled that, during its 1st UPR, PNG committed to take specific measures to eliminate domestic violence.[6] In this regard, CS, International Presentation Association (IPA), Human Rights Watch (HRW), Medecins sans Frontières (MSF) and Passionists International (PI), recognized as a positive step that PNG had adopted the 2013 Family Protection Act, which criminalizes family and sexual violence and gives police power to arrest and prosecute perpetrators.[7][8] However, although the Act came into force in March 2014, it had not yet been implemented.[9] CS added that despite the Act, women still commonly suffered from physical and sexual assault.[10]

5. PI, HRW and CS welcomed the fact that, in May 2103, Parliament repealed the Sorcery Act.[11]

6. Kapul Champions (KC) indicated that sexual relations between consenting adults of the same-sex were prohibited under the Criminal Code (1974).[12] KC recommended that PNG repeal laws that criminalise sexual relations between consenting adults of the same sex.[13] KAHRF also recommended to introduce legislation prohibiting discrimination on the grounds of sexual orientation and gender identity.[14]

3 Institutional and human rights infrastructure and policy measures

7. Act Now! (AN) indicated that during its 1st UPR, PNG informed that a National Human Rights Institution (NHRI) would be operated by 2012 and explained measures already taken to this end.[15] However, the NHRI was not in place yet.[16] Kaleidoscope Australia Human Rights Foundation (KAHRF) expressed similar concerns and recommended to establish a NHRI in line with the Paris Principles.[17] IPA recommended that the NHRI be also established with provincial offices.[18]

8. JS1, OHR and IPA expressed concern at the insufficient awareness of human rights among people in PNG.[19] JS1 recommended implementing a new curriculum that includes teaching of human rights across all levels of education.[20] OHR recommended that human rights education be a priority.[21]

B. Cooperation with human rights mechanisms

9. JS2 recommended to invite the Special Procedures, especially the WG on Arbitrary Detention and the Special Rapporteur on the HR of migrants to visit PNG.[22]

10. OHR recommended that PNG participate more actively in the HRC's sessions.[23]

11. JS3 recommended that PNG implements the recommendations of the SR on violence against women, particularly those recommendations related to sorcery accusations.[24]

C. Implementation of international human rights obligations, taking into account applicable international humanitarian law

1. Equality and non-discrimination

12. HRW recalled that during its 1st UPR, PNG committed to take appropriate measures to implement the CEDAW,[25] as well as policies and legislation aimed at gender equality and the empowerment of women.[26]

13. IPA noted with concern that many women in PNG have been long conditioned to believe themselves as inferior to men. This belief had served to perpetuate inequality of women and perversely contribute to the prevalence of violence, lack of freedom of speech and participation in decision making.[27] JS1 recommended implementing national programmes in order to change prevailing social norms.[28] PI made similar recommendations.[29]

14. JS1 stated that population in remote areas had very limited access to services such as health, education, welfare, justice and administration.[30]

15. According to UNPO, immigration law policies had led to discrimination among refugees settled in the country, who had been divided in different categories.[31]

16. KC indicated that LGBT people had been victims of abuse, stigmatisation and discrimination,[32] including with regard to education, employment and health services. KC recommended to investigate human rights abuses perpetrated on the basis of sexual orientation and gender identity; ensure equal access to health care for LGBTI people and employment in public and private sectors.[33] KAHRF and HRW expressed similar concerns and recommendations.[34]

2. Right to life, liberty and security of the person

17. HRW indicated that, in 2013, PNG expanded the scope of crimes eligible for the death penalty and signaled its intention to resume executions. As at May 2015, while no executions had taken place, thirteen prisoners were on death row. HRW recommended to implement an immediate moratorium on the death penalty with a view towards abolishing the practice altogether.[35] OHR expressed similar concerns[36] and recommendations.[37]

18. Global Witness (GW) indicated that seven recommendations to address HR violations perpetrated by the police force were accepted by PNG during its 1st UPR.[38] However, abuses perpetrated by the police force persist.[39]

19. GW also indicated that, according to the report of the Commission of Inquiry (2014), in 2011, in Pomio District, the police had perpetrated harassment, intimidation, and serious assault of ordinary and defenceless villagers using dangerous weapons. They inflicted serious injuries on the victims in the process amounting to serious criminal offenses. To GW's knowledge, there had been no follow-up prosecution of any police involved in these human rights abuses. GW also documented the common use of armed police officers in SABL areas (see section on indigenous Peoples below), to protect logging operations from landowner opposition.[40]

20. HRW reported that violence against women committed in the context of extractive industries remained a wide-spread human rights issue. HRW documented gang rape and other violent abuses by private security personnel at Porgera gold mine in 2011.[41]

21. PI stated that violence had grown to alarming levels throughout the country, with very serious implications for public health and social policy, economic development, and justice and law enforcement.[42] According to PI, despite some notable improvements, the Government still seems to lack the political will to address many of the underlying causes of violence in its society.[43]

22. HRW[44] and JS3 recalled that, during its 1st UPR, PNG accepted several recommendations related to sorcery related crimes.[45] JS3, however, noted that, despite the repeal of the Sorcery Act, people, particularly women, continue to be accused of sorcery, and many are subjected to violence including torture and killing. The real extent of sorcery-related violence was difficult to estimate because many cases go unreported.[46]

23. HRW reported that Sorcery accusations were often accompanied by brutal attacks, including burning of homes, assault, and sometimes murder. Women may be particularly likely to be targeted and less likely to be able to defend themselves from accusations.[47] JS3 indicated that young men, acting with the sanction of other members of the community, commonly lead the attacks.[48] JS3 referred to paradigmatic cases of victims of accusations of sorcery such as Angeline Kepari Leniata, who was accused of killing a young man through sorcery, tortured and burned alive in a settlement in Mt Hagen. According to JS3, no one had been charged with her murder.[49]

24. HRW stated that impunity continued for those who attack others on the pretext of sorcery accusations,[50] which seemed to have their roots in long-running intra-family or intra-community conflicts over land or money, or were wielded as a threat by abusive husbands.[51] According to JS3, people are afraid to report to the police the facts and police inaction is also linked with the police's own lack of skills and resources.[52]

25. JS3 indicated that the Sorcery National Action Plan (SNAP) had been approved by the National Executive Council. However, the SNAP is not already implemented.[53] JS3 recommended that PNG actively support the SNAP and make every possible means available for its implementation including adequate financial support.[54]

26. IPA recommended to initiate a national awareness-raising campaign against sorcery and witchcraft related crimes, and enforce legal action against those committing or inciting such atrocities.[55] JS1 recommended to extend training on the repeal of the Sorcery Act to the police and security personnel, and magistrates.[56]

27. HRW welcomed the establishment of police Family and Sexual Violence Units and hospital-based Family Support Centres, as well as the process initiated to develop a gender-based violence strategy.[57]

28. MSF stated that, despite positive steps taken by PNG, and recognition of the extend of the problem, violence and domestic violence are widespread across the country and remained a medical humanitarian emergency. Women and children are particularly vulnerable.[58] MSF and CS indicated that a 2013 Lancet study revealed that around 80% of men interviewed had admitted to commit some form of violence against their partner.[59]

29. MSF reported that survivors who sought treatment were being forced to return to abusive environments because of a lack of safe house facilities offering a minimum level of protection, despite the need for safe houses being outlined in the national 2013 'Guidelines for PHA/Hospital Management establishing hospital based Family Support Centre.'[60] MSF added that the pattern of domestic violence tends to escalates over time. The dramatic lack of safe locations to place survivors away from abusive situations put them at increased risk of repeat violence, trauma, injury and even death.[61] HRW recommended to ensure that the Family Protection Act is implemented immediately and that availability of adequate shelter, psychosocial, legal, and other services for survivors of domestic violence, including in rural areas is ensured.[62] IPA made similar recommendations.[63]

30. HRW indicated that police and prosecutors are very rarely prepared to pursue investigations or criminal charges against people who commit family violence.[64] Experts and organizations reported that survivors of violence faced significant barriers in obtaining interim protection orders (IPOs) and other forms of protection orders.[65] HRW stressed that family violence cannot be systemically tackled without full and sustained engagement and leadership by the Government.[66] CS expressed similar concerns.[67]

31. JS1was concerned that domestic violence against children was increasing in PNG, and children brought up in violent homes were at extreme risk to several health issues, both physical and mental.[68] Children under 16 represented half the number of reported rape cases, with one in four being under 12.[69] JS1 also expressed concern at violence at school among students. Female students were particularly disadvantaged as parents were less likely to send their daughters to school for fear they will get pregnant.[70] JS1 recommended to ensure that schools develop child protection policies and implement them.[71]

32. MSF reported that, between January-June 2015, 37% of the sexual violence cases treated by MSF in Hela Province were under the age of 15, while over 60% in cases treated in Port Moresby were children.[72] There were no provisions for safe house facilities for children.[73]

33. Global initiative to End All Corporal Punishment of Children (GIEACPC) indicated that, during its 1st UPR, PNG accepted recommendations to prohibit all corporal punishment of children.[74] In this regard, PNG enacted the Juvenile Justice Act 2014, which explicitly prohibited corporal punishment in penal institutions and as a sentence for crime. GIEACPC noted, however, that the Family Protection Act 2013 did not achieve prohibition of corporal punishment in childrearing.[75] GIEACPC recommended to clearly prohibit all corporal punishment of children in all settings including the home and explicitly repeal the right to use force "by way of correction" in the Criminal Code 1974.[76]

3. Administration of justice, including impunity, and the rule of law

34. HRW indicated that, during its 1st UPR, PNG committed to take effective measures to prevent alleged abuse and violence by police officers[77] and ensure their accountability for respecting human rights.[78] However, police abuses remained rampant and severe excessive force cases rarely resulted in disciplinary action, suspension or prosecutions.[79] HRW recommended to investigate and prosecute officers who commit criminal offences such as torture and ill-treatment, rape, or use excessive force, and use administrative sanctions, including dismissal; as well as commanding officers who fail to prevent or punish such acts.[80]

35. PI was concerned that Police was under-resourced, under-trained, often corrupt, frequently violent, and uninterested in the welfare of women and their rights to justice. PI added that complaints of police raping women were commonplace.[81] PI also noted an urgent need to increase the numbers recruited into the police force, including women, to match the increase in the population of the country.[82]

36. IPA recalled that PNG had accepted a recommendation during its 1st UPR to provide HR training to the Police. However, this recommendation had not adequately been implemented.[83] PI recommended strengthening initial training from six to 18 months of police recruits. According to IPA, Police officers needed to be trained that violence is not acceptable and they had a responsibility as change-agents within the community, starting with themselves. PI also recommended to improve housing conditions, increased salary of Police officers and stricter accountability mechanisms.[84] IPA expressed similar concerns and recommendations.[85]

37. IPA noted that the lack of effective law and order undermined the enforcement and protection of women's rights. In particular, the lack of access to the justice system, both in terms of Police and the Judiciary, in particular for remote communities.[86]

4. Right to work and to just and favourable conditions of work

38. Global Witness (GW) reported alarming working conditions and evidence of child labour at an oil palm plantation in the Pomio District of East New Britain province. The plantation was being established under one of the SABLs (see below indigenous peoples section below). In August 2014, GW documented workers being exposed to concentrated synthetic fertilisers for protracted periods without gloves, masks, shoes or other protective clothing. Women and children were seen completing manual tasks such as packing fertilizer into bags with their bare hands at a plantation facility. GW recalled that, according to ILO standards, common health risks associated with exposure to these fertilisers includes burns, dermatitis, respiratory and pulmonary problems.[87] GW recommended to take proactive measures to fully enforce child labor laws, particularly in industrial plantation operations; increase oversight of labor conditions in logging concessions and oil palm plantations to ensure adequate safety standards in compliance with national and international law, and undertake appropriate sanctions where laws are found to be violated.[88]

5. Right to social security and to an adequate standard of living

39. According to JS1, families living in urban and rural settlements have inadequate housing. The lack of legal policies had resulted in many families evicted from homes.[89] JS1 recommended to provide emergency accommodation for those evicted.[90]

40. CS stated that near the Porgera Mine, police violently evicted families in roughly 200 homes, after ignoring a process of free, prior, informed consent on relocation. This left hundreds of individuals entirely dispossessed.[91]

41. JS1 recommended to regulate and update laws and policies affecting evictions, in order to hold relevant warning and notice periods.[92]

42. HRW recommended to reduce corruption and make better use of public funds to secure the enjoyment of economic and social rights of those living in PNG, particularly vulnerable communities.[93]

43. IPA recommended to take urgent measures to improve the service delivery in remote Provinces for health, education and social services.[94]

6. Right to health

44. JS1 stated that the rugged terrain and poor infrastructure resulted in limited access to health care for the population. 87.5% of the population lived in rural areas, and mothers and children had to walk long distances to access basic services.[95] JS1 added that the majority of health services are not accessible to the young population.[96] JS1 recommended to implement bi-weekly health clinics in isolated areas without regular health services.[97]

45. IPA was concerned at the high mortality rate for many children under five due to a lack of access to adequate healthcare.[98] JS1 stated that the fall in mortality rates did not allow PNG to meet MDG4. Health services were inadequate for the majority of the population, in particular women and children. Limited medical supplies, equipment, facilities, knowledge and communication systems had led to maternal, child and infant deaths.[99]

46. MSF indicated that, in 2013, PNG published the "Guidelines for PHA/Hospital Management establishing hospital based Family Support Centres". However, currently only 16 Family Support Centres existed in a country with 22 provinces and a population of over

7.3 million. Out of these 16 centres, the Government reported that only seven are fully functional, while others are partially or non-functional.[100]

47. MSF considered as positive step the fact that, in 2015, Parliament's passed the PNG's first Mental Health Bill.[101] However, MSF noted that the Act remained unfulfilled or continued to incur significant delays in implementation. MSF made recommendations including to ensure the provision of the minimum package of 'Five Essential Services' in existing Family Support Centres and prioritize the establishment of those centres in regions where none currently exist. MSF also recommended to ensure that clinics are sufficiently staffed.[102]

48. CS indicated that sumping hazardous mining waste had had a negative impact on health of the local communities. Often, guidelines about adequate worker and environmental treatment are ignored or bypassed.[103]

7. Right to education

49. JS1 noted as a positive measure the Free Education Policy. However, JS1 was concerned that it did not work to its full potential, and it was not monitored as some schools still charge for children to be enrolled.[104] IPA indicated that students drop out of school unable to pay the fees.[105] In addition, schools are becoming over-crowded and many children are denied places due to limited enrolment and boarding spaces. Moreover, for schools in remote areas and in some townships, there was a limited number of teaching staff and some classes went without teachers for months.[106]

50. IPA noted that many children did not enjoy their right to education due to a lack of accessibility. Some children had to walk four hours to obtain education in a primary school and often the children start in grade three as an infants school was many hours walk from the villages. Few students had an opportunity to secondary schooling much less higher education. In addition, there was inadequate provision of schooling. In addition, IPA stated that the youth continue to grow disaffected with lack of educational opportunities and unemployment.[107]

51. JS1 recommended that PNG ensure all forms of primary education are free and accessible to all communities; Monitor school enrolments with increased monitoring in rural areas; improve school facilities; and supply clean water and toilet facilities.[108]

8. Persons with disabilities

52. JS1 saluted progress made by PNG in recognising and supporting the rights of children with disabilities. Since its previous UPR, PNG ratified the CRPD and established a National Disability Policy 2015-2025 in line with the Convention.[109] PNG also instituted the national Universal Basic Education (UBE).[110] However, JS1 noted that among 413,250 children with a disability in PNG, over 90% of them were not registered at one of the 23 Special Education Resource Centres nor in a mainstream school.[111] According to HRW, children with disabilities in PNG faced abuse, discrimination, exclusion, lack of accessibility, and a wide range of barriers to education.[112]

53. JS1noted that both female and male children with disabilities usually did not benefit from health treatments. Females with disabilities are more at risk of not being included in education, and both female and male children with disabilities could be subject to emotional, physical and/or sexual abuse.[113] According to JS1, a needs analysis undertaken by Callan Services identified the current barriers for children with disabilities to be able to participate in education and in their local communities including limited teaching skills and lack of coordination between Government departments in providing services for children with disabilities.[114] JS1 recommended to establish an independent body for the monitoring of the implementation of the CRPD and the National Disability Policy 2015-2025. It also

recommended to work with civil society organizations to establish models and processes for the extension of special education services to all children across the country, with reasonable curriculum adaptations and the necessary teacher and teaching resources.[115]

9. Indigenous peoples

54. Cultural Survival (CS) stated that, during its 1st UPR, PNG supported a recommendation related to indigenous peoples' rights.[116] CS indicated that many indigenous communities existed in remote rural areas, which had fomented the continuation of distinct cultural practices. However, the isolation had deprived individuals of access to crucial resources and public services, including clean water, healthcare, and education. Many, oftentimes abused women, walk for at least four days to access roads leading to urban centres.[117]

55. According to ACT NOW (AN), between 2003 and 2011, more than five million hectares of land were taken from indigenous customary landowners and given to national and foreign corporations using a scheme known as Special Purpose Agriculture and Business Leases (SABL). Under these leases the corporations had been given exclusive rights to the land for up to 99 years,[118] potentially impacting negatively more than 700,000 indigenous peoples.[119]

56. In this regard, GW noted as a positive step the establishment of the independent Commission of Inquiry (COI), in 2011, to review most of the SABLs.[120] According to AN, the SABL leases had been issued without the informed prior consent of customary indigenous peoples landowners and without following the rules, processes and procedures under the Lands Act. This had been confirmed in the findings of the CoI, in six court cases where individual groups had managed to successfully challenge an SABL over their land and in several independent investigative reports.[121] According to AN, the Government response to the SABL land grab had been inadequate.[122]

57. AN indicated that, despite its limitations to carry out its activities, the CoI did find serious legal irregularities in almost all the leases investigated and it recommended that most of them be revoked as they were unlawful.[123] The CoI's reports were transmitted to the Government in 2013. However, many leases had not been cancelled,[124] despite repeated assurances from the Prime Minister to protect the indigenous peoples' rights.[125]

58. AN also indicated that no sanction had been taken against the public servants responsible for issuing the fraudulent leases.[126]

59. AN recommended that PNG cancel the SABL leases and return the land to customary landowners; also cancel all Forest Clearance Authorities allowing logging in SABL areas; and initiate disciplinary action against all officers identified in the CoI as having failed to protect the interests of customary landowners and uphold the law.[127]

60. CS stated that the Ramu Nickel Mine continued to be a source of conflict, due to a disrespect for environmental and regulations and a process of free, prior informed consent at every stage of its development.[128]

61. CS indicated that the water pollution had affected at least 30,000 local indigenous peoples, such as the Yonggom People that lived down river from the mine, depriving them of their livelihoods. There were over 50% less fish than before the mine's existence, and the surviving fish and agricultural produce were contaminated.[129] JS1 recommended that the terms and conditions of all contracts between logging companies and the governments of all provinces be reviewed with a view to ensuring free, prior and informed consent of the local people is obtained for any operations and their effects, in accordance with the UN Declaration on the Rights of Indigenous Peoples (UNDRIP).[130]

62. CS recommended that PNG take operational steps to implement UNDRIP, including the recognition of the right to land and natural resources of all Indigenous peoples; adopt a national action plan on UNDRIP implementation to ensure indigenous peoples' effective and politically meaningful participation in the decision-making process and equal representation in the governance of the country.[131]

10. Migrants, refugees and asylum seekers

63. JS2 was concerned at conditions faced by asylum seekers detained in the Manus Island Regional Processing Centre (Manus Island Centre).[132] Further to its visit to Manus Island Centre in June 2015, HRW reported that more than 850 asylum seekers and 87 refugees were detained indefinitely in poor conditions on that centre. HRW also noted pressure on asylum seekers to abandon their refugee claims and return to home countries, combined with lengthy delays in refugee status determination and resettlement processing. HRW was also concerned at mental health problems linked to prolonged and indefinite detention; arbitrary detention of asylum seekers and refugees in the police lock-up and jail; restrictions on refugees' freedom of movement and work rights; assault on a refugee by alleged authorities in Lorengau town; and mistreatment of gay asylum seekers.[133]

64. JS2 noted with concern that refugees were sometimes deported to countries of their origin where they could face inhumane or degrading treatment.[134]

65. HRW noted that PNG ratified the Refugee Convention in 1986. However, despite promises to do so, it had not yet lifted reservations to the treaty,[135] and it had failed to adopt a formal policy for integration of refugees.[136]

66. HRW also reported that in January 2015, the police detained a large group of asylum seekers for several weeks in crowded cells in the local jail and police lock-up following a hunger strike in Lombrum Detention Centre. All correctional facilities including the jail and police cells had been designated as "relocation centres" under PNG immigration law, and as such asylum seekers can be held there by immigration authorities without charge and access to the courts or to lawyers. Jail experience had been traumatizing for asylum seekers, and at least two had attempted suicide.[137] JS2 expressed similar concerns and stressed the negative impact of detention on physical and mental health of asylum seekers.[138]

67. HRW stated that members of paramilitary police units (Mobile Squads) and detention centre staff were implicated in excessive use of force in protests, in February 2014, at the Manus Island Centre. During the incident, many detainees sustained injuries and one detainee was beaten to death.[139] JS2 expressed similar concerns.[140] Despite the allegation of the involvement of the security personnel, they had not been charged.[141] In addition, the asylum seekers can be held there without having the right to legal counsel or right to a fair trial.[142] JS1 stated that in Manus Island Centre, women asylum seekers face particularly adverse conditions.[143]

68. JS2 stressed the length of the process for being granted refugee status.[144] Following a first positive determination, refugees had to cope with long waiting periods of up until months in order to receive the second status determination.[145] JS2 recommended to process claims of asylum seekers in line with international humanitarian and human rights law; to close the Manus Island Centre; and to investigate and bring to justice those who were involved in excessive use of force.[146]

69. UNPO indicated that West Papuan refugees had experienced difficulties since their arrival in PNG over thirty years ago. Even though official registration had taken place, most refugees lack basic rights associated with citizenship, because of the impossibility to legalize their presence in the country.[147]

70. UNPO stated that the residency requirement is difficult and disruptive in attaining permissive residency status. It requires the refugees to return to East Awin for a period of six months every three years in order to obtain the renewal of their residency status.[148] UNPO recommended to allow for less strict conditions to obtain the permissive residency status; avoid the expulsion and return of West Papuan refugees; and legislate a clear policy on the determination, protection and processing of refugee status.[149]

11. Right to development and environmental issues

71. HRW indicated that during its 1st UPR, PNG accepted the recommendation to increase scrutiny over extractive and logging industries and associated companies and businesses, with a view of reducing its negative impact on the environment, and consequently, its negative effects on the full enjoyment of human rights of the populations concerned.[150] However, while extractive industries remained an important engine of economic growth, they continued to raise serious human rights concerns and environmental harm.[151]

72. Global Witness (GW) expressed similar concerns.[152] It recalled that PNG also committed to provide adequate judicial review and compensation for cases of government projects that had negative environmental impact on the land and resources of traditional landowners and promote engagement with local communities in the decision-making processes of any Government's project;[153] to take effective measures to prevent abuse and violence by the police force and bring perpetrators to justice; ensure that victims benefit from full reparations;[154] and ensure protection against child labour.[155] However, since 2003, the Government had handed over 5.2 million hectares of this customary land - approximately 12 % of PNG's total land mass - to mostly foreign-controlled corporate entities through the abuse of Special Agriculture and Business Lease (SABL).[156]

73. GW indicated that many SABLs had been used for industrial logging rather than their intended purpose of promoting agricultural development and that expert analysis suggested that many of the agriculture projects proposed under SABLs had low viability and were likely to be fronts for logging. Logging operations under SABLs had been carried out under forest clearance permits known as Forest Clearance Authorities (FCAs) with no obligation to consider environmental sustainability, resulting in severe environmental degradation.[157]

74. GW also reported the deterioration in the quality of natural water sources and the loss of animals and other sources of food as a result of the logging operations.[158]

75. AN indicated that, although PNG is fully aware of the illegal nature of the logging, no action had been taken to protect the rights of customary landowners.[159] Experimental seabed mining also raised serious environmental concerns,[160] and terrestrial mines had had serious environmental, social and other human rights impacts. Such large-scale operations were not adequately managed.[161]

76. CS recommended to establish stronger measures to guarantee that large-scale projects are following proper environmental standards.[162] JS1 recommended to monitor, review regularly and report publicly on the operations of extractive industries to ensure the conditions of contracts and all relevant regulations are being observed, and the UN Guiding Principles on Business and Human Rights are being followed. JS1 also recommended an independent assessment of the operations of any logging or mining companies, where there is evidence that its operations are damaging the environment and human rights of the local people, and to act to protect these rights.[163] GW made similar recommendations, including cancel any leases, and related titles and logging permits, found to violate customary land rights or involve other legal violations, and return the land to the customary landowners. GW also recommended to initiate legal and administrative proceedings to hold Government

officials and companies to account for violating laws in the issuance of SABLs, including prosecutions where there is evidence of criminal activity.[164] Oceania Human Rights recommended the creation of a National Action Plan for Business and Human Rights with involvement of indigenous peoples.[165]

Notes

[1] The stakeholders listed below have contributed information for this summary; the full texts of all original submissions are available at: www.ohchr.org.

Civil society

Individual submissions:

AN	Act Now! National Capital District (Papua New Guinea);
CS	Cultural Survival, Cambridge (United Kingdom);
HRW	Human Rights Watch, Geneva (Switzerland);
IPA	International Presentation Association; New-York (United States of America);
GIEAFCPC	Global Initiative to End All Corporal Punishment of Children; London (United Kingdom);
GW	Global Witness, London (United Kingdom);
KAHRF	Kaleidoscope Australia Human Rights Foundation;
KC	Kapul Champions; Port Moresby (Papua New Guinea);
MSF	Médecins sans frontières; Port Moresby (Papua New Guinea);
OHR	Oceania Human Rights; Honolulu, (Hawai'i);
PI	Passionists International; New-York (United States of America);
UNPO	Unrepresented Nations and Peoples Organization, The Hague,(Netherlands);

Joint submissions:

JS1	Joint submission 1 submitted by: International Presentation Association (IPA); Edmund Rice International (ERI) and Foundation for Marist Solidarity International (FMSI); and Franciscans International (FI); Geneva (Switzerland);
JS2	Joint submission 2 submitted by: Franciscans International, Edmund International and VIVAT International; Geneva (Switzerland);
JS3	VIVAT International; Passionists International; Franciscans International; and International Presentation Association, New-York (United States of America).

[2] The following abbreviations are used in UPR documents:

ICERD	International Convention on the Elimination of All Forms of Racial Discrimination
ICESCR	International Covenant on Economic, Social and Cultural Rights
OP-ICESCR	Optional Protocol to ICESCR
ICCPR	International Covenant on Civil and Political Rights
ICCPR-OP 1	Optional Protocol to ICCPR
ICCPR-OP 2	Second Optional Protocol to ICCPR, aiming at the abolition of the death penalty
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
OP-CEDAW	Optional Protocol to CEDAW
CAT	Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
OP-CAT	Optional Protocol to CAT
CRC	Convention on the Rights of the Child
OP-CRC-AC	Optional Protocol to CRC on the involvement of children in armed conflict
OP-CRC-SC	Optional Protocol to CRC on the sale of children, child prostitution and child pornography
OP-CRC-IC	Optional Protocol to CRC on a communications procedure

ICRMW	International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families
CRPD	Convention on the Rights of Persons with Disabilities
OP-CRPD	Optional Protocol to CRPD
ICPPED	International Convention for the Protection of All Persons from Enforced Disappearance.

[3] OHR, page 1.
[4] CS, page 6.
[5] UNPO, page 7.
[6] A/HRC/18/18, Recommendation 78.20 from Republic of Korea.
[7] PI, para.8.
[8] CS, page 4; HRW, para.6; IPA, para.2.4; MSF page 2 ; and PI, para.8.
[9] HRW, para.7.
[10] CS, page 4.
[11] PI, para.7.
[12] KC, para.1.
[13] HRW, para.16.
[14] KAHRF, para.14.
[15] AN, para.41 and 42.
[16] AN, para.44.
[17] KAHRF, para.15.
[18] IPA, para.6.12.
[19] JS1, page 3 ; IPA, para.2.5 ; and OHR page 2.
[20] JS1, para.18.
[21] OHR, page 2.
[22] JS2, para.16.
[23] OHR, page 1.
[24] JS3, page 5.
[25] A/HRC/18/18, Recommendation 78.15 accepted from Hungary.
[26] A/HRC/18/18, Recommendation 78.16 accepted from Brazil.
[27] IPA, para.2.8.
[28] JS1 page 3.
[29] JS1, para.9.
[30] JS1, para.43.
[31] UNPO, page 7.
[32] KC, para.7.
[33] KC, page.5.
[34] HRW, para.16.
[35] HRW, para.18.
[36] OHR, page 1.
[37] OHR, page 1.
[38] Recommendations from PNG's UPR in 2011: 78.50, 78.56, 78.57, 78.58, 78.59, 79.40 and 79.41
[39] GW, page 5.
[40] GW, page 6.
[41] HRW, para. 21.
[42] PI, para.5.
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[44] A/HRC/18/18, Recommendation 78.22 accepted from Poland.
[45] A/HRC/18/18, Recommendation 78.22 accepted from Poland.
[46] JS3, page 2.
[47] HRW, para.12.
[48] JS3, page 2.
[49] JS3, page 3.
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[51] HRW, para.12.
[52] JS3, page 2.
[53] JS3 page 2.

[54] JS3, page 5.
[55] IPA, para. 6,1.
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[57] HRW, para.6.
[58] MSF, page 1.
[59] MSF, page 2 and CS page 4.
[60] MSF, page 4.
[61] MSF, page 3.
[62] HRW, para.12.
[63] IPA, para. 6.3, 2.6 and 8.
[64] HRW, para.8.
[65] HRW, para.9.
[66] HRW, para.10.
[67] CS, para.4.
[68] JS1, para.7.
[69] JS1, para.8.
[70] JS1, para.9.
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[73] MSF, page 4.
[74] GIEAPC, para.1.1.
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[77] A/HRC/18/18, Recommendation 78.50 accepted from Republic of Korea.
[78] A/HRC/18/18, Recommendation 78.56 accepted from Slovenia.
[79] HRW, para.2.
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[81] PI, para.10.
[82] PI, page.5.
[83] IPA, para.6.5.
[84] PI, page.5.
[85] IPA, para.2.4.
[86] IPA, para.2.4.
[87] GW, page 7.
[88] GW, page 8.
[89] JS1, para.14.
[90] JS1, para 14.
[91] CS page 4.
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[93] HRW, para.22.
[94] IPA, para.6.2.
[95] JS1, page 11.
[96] JS1, page 4.
[97] JS1, page 5.
[98] IPA, para.3.2.
[99] JS1, page 11.
[100] MSF, page 3.
[101] MSF, page 2.
[102] MSF, page 5.
[103] CS, page 5.
[104] JS1, para.15.
[105] IPA, para.31 and 32.
[106] JS1, para.17.
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[108] JS1, para.18.
[109] JS1, para.19.
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[113] JS1, para.22.
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[118] AN, para.9.
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[121] AN, para.13.
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[124] AN, para.22.
[125] AN, para.23.
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[127] AN, para.49.
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[129] CS, page 6.
[130] JS1, para.45.
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[132] JS2, para.4.
[133] HRW, para.13.
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[153] Recommendation 79.51 from Thailiand.
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